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OCT 01 2004

PTO/SB/21 (02-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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U.S. TRADEMARK OFFICE

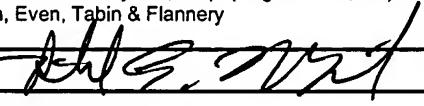
TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

(to be used for all correspondence after initial filing)	Application Number	10/646,994	
	Filing Date	August 21, 2003	
	First Named Inventor	Heinz Willebrand et al.	
	Art Unit	2633	
	Examiner Name	Phan, Hanh	
Total Number of Pages in This Submission	1	Attorney Docket Number	81598

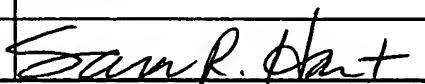
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">PTO/SB/08A and PTO/SB/08B in duplicate, 3 Cited References, Copy of Australian Search Report, and Return Receipt Postcard.</div>
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Richard E. Wawrzyniak, Esq. (Reg. No.: 36,048) Fitch, Even, Tabin & Flannery
Signature	
Date	September 29, 2004

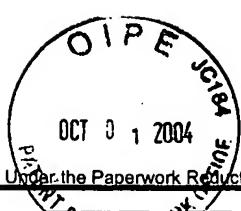
## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Sara R. Hart
Signature	
Date	September 29, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

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# FEES TRANSMITTAL

## for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

## Complete if Known

Application Number	10/646,994
Filing Date	August 21, 2003
First Named Inventor	Heinz Willebrand et al.
Examiner Name	Phan, Hanh
Art Unit	2633
Attorney Docket No.	81598

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number  
06-1135

Deposit Account Name  
FITCH, EVEN, TABIN & FLANNERY

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments

Charge any additional fee(s) or any underpayment of fee(s)

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385		Utility filing fee			
1002 340	2002 170		Design filing fee			
1003 530	2003 265		Plant filing fee			
1004 770	2004 385		Reissue filing fee			
1005 160	2005 80		Provisional filing fee			
SUBTOTAL (1) (\$)						

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			-3** =	X	=

Large Entity	Small Entity	Fee Code (\$)	Fee	Fee Description		
1202 18	2202 9		Claims in excess of 20			
1201 86	2201 43		Independent claims in excess of 3			
1203 290	2203 145		Multiple dependent claim, if not paid			
1204 86	2204 43		** Reissue independent claims over original patent			
1205 18	2205 9		** Reissue claims in excess of 20 and over original patent			
SUBTOTAL (2) (\$)						

\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath			
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet			
1053 130	1053 130	Non-English specification			
1812 2,520	1812 2,520	For filing a request for ex parte reexamination			
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action			
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action			
1251 110	2251 55	Extension for reply within first month			
1252 420	2252 210	Extension for reply within second month			
1253 950	2253 475	Extension for reply within third month			
1254 1,480	2254 740	Extension for reply within fourth month			
1255 2,010	2255 1,005	Extension for reply within fifth month			
1401 330	2401 165	Notice of Appeal			
1402 330	2402 165	Filing a brief in support of an appeal			
1403 290	2403 145	Request for oral hearing			
1451 1,510	1451 1,510	Petition to institute a public use proceeding			
1452 110	2452 55	Petition to revive - unavoidable			
1453 1,330	2453 665	Petition to revive - unintentional			
1501 1,330	2501 665	Utility issue fee (or reissue)			
1502 480	2502 240	Design issue fee			
1503 640	2503 320	Plant issue fee			
1460 130	1460 130	Petitions to the Commissioner			
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)			
1806 180	1806 180	Submission of Information Disclosure Stmt		180.00	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)			
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))			
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))			
1801 770	2801 385	Request for Continued Examination (RCE)			
1802 900	1802 900	Request for expedited examination of a design application			

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 180.00)

## SUBMITTED BY

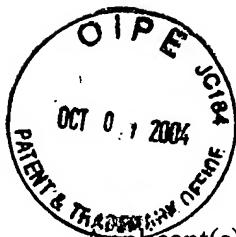
(Complete if applicable)

Name (Print/Type)	Richard E. Wownyaniak, Esq.	Registration No. (Attorney/Agent)	36,048	Telephone	858-552-1311
Signature				Date	September 29, 2004

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Attorney Docket No. 81598

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Heinz Willebrand et al.

Application No.: 10/646,994

Filed: August 21, 2003

For: HYBRID WIRELESS OPTICAL  
AND RADIO FREQUENCY  
COMMUNICATION LINK

Group Art Unit: 2633

Examiner: Phan, Hanh

**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

September 29, 2004

Date

*Sara R. Hart*  
Sara R. Hart

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is submitted:

- Under 37 CFR §1.97(b) before the mailing date of a first Office Action on the merits.
- Under 37 CFR §1.97(c) together with either:
  - a statement under 37 CFR §1.97(e), or
  - a fee under 37 CFR §1.17(p)  
(after the 37 CFR §1.97(b) time period, but before the mailing date of a final Action, a Notice of Allowance, or an action that otherwise closes prosecution).
- Statement under 37 C.F.R. § 1.97(e)(1): The undersigned states that each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

Supplemental Information Disclosure Statement  
U.S. App. No. 10/646,994

In accordance with the duty of disclosure imposed by 37 CFR § 1.56 to inform the Patent Office of all patents, publications, applications and other information known by Applicants or Applicants' representative that may be material to the examination of the subject application, Applicants' representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 CFR §§ 1.97-1.98 and includes Form PTO/SB/08A and PTO/SB/08B with five (5) references listed as items AA-AE.

Items AA and AB listed on the enclosed form PTO/SB/08A are not enclosed, in accordance with the waiver of the requirement of 37 C.F.R. § 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 that appears in the Official Gazette Notice (Week No. 31) dated August 5, 2003 and entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications Filed After June 30, 2003".

Concise Explanation of Relevance

Item AE is an Australian Examiner's first report that was issued in the Australian patent application corresponding to U.S. App. No. 09/482,782, now U.S. Patent No. 6,763,195, which is the parent application hereto. A copy of the claims to which the Australian Examiner's first report refers to is also included therewith. The Australian Examiner's first report refers to Items AC and AD, as well as Item ED of the IDS mailed to the USPTO on February 13, 2004.

Items AC and AD are referred to in Item AE.

It is requested that the information provided herein be made of record in this application.

Respectfully submitted,

Dated: 9/29/04



Richard E. Wawrzyniak  
Attorney for Applicant(s)  
Reg. No. 36,048

Address all Correspondence to:

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Chicago, IL 60603  
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Facsimile: (858) 552-0095



U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

**Substitute for form 1449/PTO**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**(Use as many sheets as necessary)**

Sheet 1 of 2

Sheet 1 of 2 Attorney Docket Number 81598

## U. S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (If known)				
	AC	WO 99/05802	02-04-1999	Nan Zhang et al.		
	AD	GB 2297668 A	08-07-1996	Shingo Mizuno		

Examiner Signature		Date Considered	
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup>Applicant's unique citation designation number (optional). <sup>3</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO

Complete if Known

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

2

of

2

Application Number	10/646,994
Filing Date	August 21, 2003
First Named Inventor	Heinz Willebrand et al.
Art Unit	2633
Examiner Name	Phan, Hanh

Attorney Docket Number

81598

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	AE	AUSTRALIAN PATENT OFFICE, "Examiner's first report on patent application no. 2001252868 by LightPointe Communications, Inc.", dated May 19, 2004, for Application No. 2001252868, with copy of examined claims, 11 pages.	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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